

United States Bankruptcy Court
District of New Mexico

In re:
Fred Dale Van Winkle
Debtor

Case No. 13-11743-j
Chapter 7

CERTIFICATE OF NOTICE

District/off: 1084-1

User: jackie
Form ID: b9a

Page 1 of 2
Total Noticed: 14

Date Rcvd: May 21, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 23, 2013.

db +Fred Dale Van Winkle, PO Box 1691, Ruidoso, NM 88355-1691
tr Clarke C. Coll, PO Box 2288, Roswell, NM 88202-2288
3225791 +Brian Van Winkle, P.O. Box 141, La Luz, NM 88337-0141
3225787 +First National Bank of Ruidoso, Attn Officer/Managing or General Agent, 451 Sudderth,
Ruidoso, NM 88345-6009
3225788 John and Ellen B. Williams dba Belleview, Valley Land Co. c/o W. T Martin, Jr., PO Box 2168,
Carlsbad, NM 88221-2168
3225793 +Richard Hawthorne, Esq., 1221 Mechem Dr. #2, Ruidoso, NM 88345-7224
3225794 +Roger E. Yarbrow, Esq., PO Box 480, Cloudcroft, NM 88317-0480

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
aty E-mail/Text: trey@arvizulaw.com May 21 2013 22:00:32 R Trey Arvizu, III, PO Box 1479,
Las Cruces, NM 88004-1479

ust E-mail/Text: USTPREGION20.OC.ECF@USDOJ.GOV May 21 2013 22:12:55 United States Trustee,
PO Box 608, Albuquerque, NM 87103-0608
3225789 +EDI: AMEREXPR.COM May 21 2013 23:58:00 Amex, P.O. Box 981537, El Paso, TX 79998-1537
3225790 +EDI: BANKAMER2.COM May 21 2013 23:58:00 Bank Of America, Po Box 17054,
Wilmington, DE 19850-7054
3225792 EDI: CAPITALONE.COM May 21 2013 23:58:00 Cap One, Po Box 85520, Richmond, VA 23285
3225796 EDI: NMTRD.COM May 21 2013 23:58:00 NM Taxation & Revenue Department, PO Box 8575,
Albuquerque, NM 87198-8575
3225795 +EDI: WFNNB.COM May 21 2013 23:58:00 Wfnnb/Bealls, Po Box 2974, Mission, KS 66201-1374
TOTAL: 7

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 23, 2013

Signature:



District/off: 1084-1

User: jackie
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Page 2 of 2
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Date Rcvd: May 21, 2013

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 21, 2013 at the address(es) listed below:

Clarke C. Coll clarkecoll@gmail.com, nml4@ecfcbis.com
R Trey Arvizu, III on behalf of Debtor Fred Dale Van Winkle trey@arvizulaw.com,
polly@arvizulaw.com;eva@arvizulaw.com;office@arvizulaw.com;laptop@arvizulaw.com
United States Trustee ustpreregion20.aq.ecf@usdoj.gov

TOTAL: 3

UNITED STATES BANKRUPTCY COURT
District of New Mexico

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 5/21/13.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**Creditors — Do not file this notice in connection with any proof of claim you submit to the court.
See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Fred Dale Van Winkle
PO Box 1691
Ruidoso, NM 88355

Case Number:
13-11743-j7

Social Security or Individual Taxpayer ID No(s)/Employer ID/Other Nos.:
xxx-xx-9361

Attorney for Debtor(s) (name and address):
R Trey Arvizu III
PO Box 1479
Las Cruces, NM 88004-1479
Telephone number: 575-527-8600

Bankruptcy Trustee (name and address):
Clarke C. Coll
PO Box 2288
Roswell, NM 88202-2288
Telephone number: 575-623-2288

Meeting of Creditors

Date: **June 18, 2013**

Time: **10:00 AM**

Location: **Chaves County Magistrate Court, 400 North Virginia Street, Roswell, NM 88201**

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

This section is not applicable because the debtor represents that the debts are primarily business, non-consumer debts.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts: 8/19/13

Deadline to File Certification of Completion of Postpetition

Instructional Course in Personal Financial Management: 8/19/13

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:

Dennis Chavez Federal Building and United States Courthouse
500 Gold Avenue SW, 10th Floor
PO Box 546
Albuquerque, NM 87103-0546
Telephone number: 505-348-2500/866-291-6805
www.nmb.uscourts.gov

For the Court:

Clerk of the Bankruptcy Court:
Norman H. Meyer, Jr.

Hours Open: Monday – Friday 8:30 AM – 4:30 PM

Date: 5/21/13

EXPLANATIONS

B9A (Official Form 9A) (12/12)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the court.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. <i>Do not include this notice with any filing you make with the court.</i>
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), or (6), you must file a complaint — or a motion if you assert the discharge should be denied under § 727(a)(8) or (a)(9) — in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. The bankruptcy clerk's office must receive the complaint or motion and any required filing fee by that deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. If you are an attorney, you are required to file papers electronically. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
— Refer to Other Side for Important Deadlines and Notices —	